

1635

PTO/SB/21 (05-03)

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

June 4, 2002

Filing Date

10/070,340

First Named Inventor

Frank Seela

Group Art Unit

1635

Examiner Name

Unassigned

Total Number of Pages in This Submission

Attorney Docket Number

78-002210US

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☒ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter

- ☒ Additional Enclosure(s) (please identify below):

Statement under 37 CFR 3.73(b), copy of assignment documents, and receipt acknowledgment postcard

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Jonathan Alan Quine, Reg. No. 41,261, Quine Intellectual Property Law Group, P.C.

Signature

*Jonathan Alan Quine*

Date

March 30, 2004

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Juliana Hermes

Signature

*Juliana Hermes*

Date

March 30, 2004



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Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on March 30, 2004

By Juliana Hermes  
Juliana Hermes, QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

Attorney Docket No. 78-002210US  
Client Reference No.: 18980-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Frank Seela, et al.

Examiner: Unassigned

Application No.: June 4, 2002  
(International Filing Date: August 8, 2000)

Art Unit: 1635

Filed: 10/070,340

SUBMISSION OF POWER OF  
ATTORNEY AND CORRESPONDENCE  
ADDRESS INDICATION FORM

For: 2-AZAPURINE COMPOUNDS AND  
THEIR USES

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Sir:

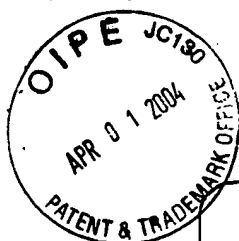
Please make of record the following enclosed documents regarding the above-identified application:

- 1) Power of Attorney and Correspondence Address Indication Form;
- 2) Statement Under 37 CFR 3.73(b); and,
- 3) Copy of Assignment documents.

QUINE INTELLECTUAL PROPERTY LAW GROUP  
P.O. BOX 458, Alameda, CA 94501  
Tel: 510 337-7871  
Fax: 510 337-7877  
PTO Customer No.: **22798**  
Deposit Account No.: **50-0893**

Respectfully submitted,

Jonathan Alan Quine  
Reg. No: 41,261



PTO/SB/81 (09-03)  
Approved for use through 11/30/2003. OMB 0851-0035  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	June 4, 2002
Filing Date	10/070,340
First Named Inventor	Frank Seela
Title	2-AZAPURINE COMPOUNDS AND THEIR
Art Unit	1635
Examiner Name	Unassigned
Attorney Docket Number	78-002210US

I hereby appoint

☒ Practitioners associated with the Customer Number:

OR

☒ Practitioner(s) named below:



**22798**

PATENT TRADEMARK OFFICE

Name	Registration Number
George C. Jen	39,239
Charles M. Dovic	39,175
Bart B. Wise	49,029
Rhea C. Nerseian	P-55,488

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/>	Firm or Individual Name	Quine Intellectual Property Law Group, P.C.				
Address		P.O. Box 458				
Address						
City		Alameda	State	CA	Zip	94501
Country		United States				
Telephone		(510) 337-7871	Fax	(510) 337-7877		

I am the

☐ Applicant/Inventor

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/86)

Roche Diagnostics GmbH SIGNATURE of Applicant or Assignee of Record

Name	ppa	i.v.	Subl
Signature	<i>[Signature]</i>		
Date	March 15, 2004	Telephone	

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or Printed Name	Julianne Hermes	Date	March 15, 2004
Signature	<i>[Signature]</i>		



Approved for use through 09/30/2009. CMB 085 1-0037

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant: Frank Seela, et al.

Application No.: 10/070,340

Filed: June 4, 2002

Entitled: 2-AZAPURINE COMPOUNDS AND THEIR USES

Roche Molecular Systems

a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

- ☒ the assignee of the entire right, title, and interest; or
- ☐ an assignee of an undivided part interest

in the patent application identified above by virtue of either:

A ☐ An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

OR

B. ☒ A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1 From: Frank Seela, et al. To: Roche Molecular Systems, Inc.  
The document was recorded in the Patent and Trademark Office at Reel 013145, Frame 0494, or for which a copy thereof is attached.

2 From: Roche Molecular Systems, Inc. To: Roche Diagnostic GmbH  
The document was recorded in the Patent and Trademark Office at Reel 013517, Frame 0126, or for which a copy thereof is attached.

3 From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_, Frame \_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet

☒ Copies of assignments or other documents in the chain of title are attached.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

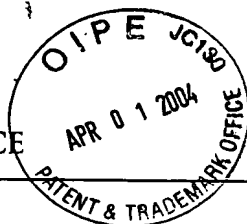
March 15, 2004  
Date

Roche Diagnostics GmbH  
i.v.

A. Burger  
Dr. Burger  
Mandatory

i.v.  
Hildebrandt  
Dr. Hildebrandt  
Mandatory

UNITED STATES  
PATENT AND  
TRADEMARK OFFICE



1803-336-999

OCTOBER 04, 2002

PTAS

Under Secretary of Commerce For Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, DC 20231  
www.uspto.gov

PENNIE & EDMONDS LLP  
RAHUL PATHAK  
3300 HILLVIEW AVENUE  
PALO ALTO, CALIFORNIA 94304



\*102181216A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/04/2002

REEL/FRAME: 013145/0494  
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
SEELA, FRANK ✓

DOC DATE: 04/22/2002

ASSIGNOR:  
ROSEMEYER, HELMUT ✓

DOC DATE: 04/22/2002

ASSIGNOR:  
SCHWEINBERGER, ENNO ✓

DOC DATE: 04/29/2002

ASSIGNOR:  
HEINDL, DIETER ✓

DOC DATE: 04/10/2002

ASSIGNOR:  
BERGMANN, FRANK ✓

DOC DATE: 04/10/2002

ASSIGNEE:  
ROCHE MOLECULAR SYSTEMS, INC.  
1145 ATLANTIC AVENUE  
ALAMEDA, CALIFORNIA 94501

RECEIVED RECORDS

OCT 14 2002  
LRP-284A  
& DOCKETING CA OFFICE

013145/0494 PAGE 2

SERIAL NUMBER: 10070340✓  
PATENT NUMBER:

FILING DATE: 2/27/02  
ISSUE DATE:

ALLYSON PURNELL, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

## RECORDATION FORM COVER SHEET

10/070340

Attorney Docket Number  
1803-336-999

08-06-2002



102181216

DEMARKS

Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Frank Seela, Helmut Rosemeyer, Enno  
Schweinberger, Dieter Heindl and Frank  
BergmannAdditional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 2. Name and address of receiving party(ies):

Name: Roche Molecular Systems, Inc.Address: 1145 Atlantic AvenueAlameda, CA 94501

Country (if other than USA): \_\_\_\_\_

## 3. Nature of conveyance:

- ☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: April 22, 2002, April 22, 2002, April 29, 2002,  
April 10, 2002, and April 10, 2002, respectively

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: \_\_\_\_\_

A. Patent Application No.(s) 10/070,340

B. Patent No.(s) \_\_\_\_\_

Additional numbers attached? Yes No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

PENNIE & EDMONDS LLP  
3300 Hillview Avenue  
Palo Alto, CA. 943046. Number of applications and patents involved: 17. Total fee (37 CFR 3.41):.....\$ 40.00  
Please charge to the deposit account listed in Section 8.

## 8. Deposit account number:

16-115006/18/2002 GFREY1 00000051 161150 10070340  
03 FC:581 40.00 CH

DO NOT USE THIS SPACE

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Rahul Pathak

42,983

Signature

June 4, 2002

Name of Person Signing

Date

For: Jennifer Gordon (Reg. No. 30,753)

Total number of pages including cover sheet:

3

Mail documents to be recorded with required cover sheet information to:  
Commissioner of Patents & Trademarks, Box Assignment  
Washington, D.C. 20231

## ASSIGNMENT

WHEREAS, WE, Frank Seela, Helmut Rosemeyer, Enno Schweinberger Dieter Heindl, and Frank Bergmann, ASSIGNORS, citizens of Germany, residing at Gutenbergstrasse 44, Osnabrueck, Germany D-49076, Luermannstrasse 39, Osnabrueck, Germany D-49076, In der Klappe 9, Oberweser, Germany D-34399, Waldschmidtstrasse 1, Tutzing, Germany D-82327, and Faltergatter 5, Iffeldorf, Germany D-82393, respectively, are the inventors of the invention in 2-AZAPURINE COMPOUNDS AND THEIR USE for which we have executed an application for a Patent of the United States

- ☒ which is executed on ☒ even date herewith or ☐ \_\_\_\_\_  
☒ which is identified by Pennie & Edmonds LLP docket no. 1803-336-999 (5265)  
☒ which was filed on February 27, 2002, Application No. (not yet assigned)

and WHEREAS, Roche Molecular Systems, Inc., ASSIGNEE is desirous of obtaining our entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said ASSIGNORS, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, our entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND WE HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, We hereunto set our hands and seals the day and year set opposite our respective signatures.

Date April, 22., 2002

Frank Seela  
FRANK SEELA

Date April, 22, 2002

Witness Bertraud Riepenhausen

Bertraud Riepenhausen, Wiekstr. 29, 49214 Bad Rothenfelde

Date \_\_\_\_\_, 2002

Witness \_\_\_\_\_

Date April, 22., 2002

Helmut Rosemeyer  
HELMUT ROSEMEYER

Date April, 22, 2002

Witness Bertraud Riepenhausen

Bertraud Riepenhausen, Wiekstr. 29, 49214 Bad Rothenfelde

Date \_\_\_\_\_, 2002

Witness \_\_\_\_\_



MAR. 31. 2003 10:17AM

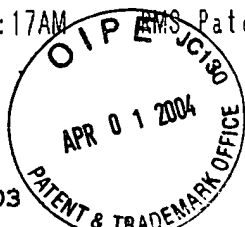
Patent Department

2/3

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P. 2



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UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

1803-336-999

MARCH 28, 2003

ROCHE MOLECULAR SYSTEMS, INC.  
CHARLES M. DOYLE  
1145 ATLANTIC AVENUE  
ALAMEDA, CA 94501

\*700026790A

\*700026790A



UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 03/26/2003

REEL/FRAME: 013517/0126

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ROCHE MOLECULAR SYSTEMS, INC.

DOC DATE: 11/12/2002

ASSIGNEE:

ROCHE DIAGNOSTICS GMBH  
SANDHOFFERSTR, 116  
D-68305 MANNHEIM, FED REP GERMANY

SERIAL NUMBER: 10070340

FILING DATE: 06/04/2002

PATENT NUMBER:

ISSUE DATE:

PEARLENE FOSTER, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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MAR 31 2003  
RRP-249  
& DOCKETING CA OFFICE

ROCHE MOLECULAR SYSTEMS	
File No.	18980-US
Date/By	3/31/03
Attorney	Doy/Burk
Action	NONE
Due Date	
Final Date	

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RMS Patent Department

3/3 NIGHTRAA

NO. 378 P. 3

NO. 300 P. 1

Docket No.: 28988-US

FORM PTO-100 (Rev. 03-01)  
 CASE No. 0881-0027 (exp. 03/1/2004)  
 P03/R02/03

APR 01 2004

03/26/2003

03/26/2003

PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE  
 Patent and Trademark Office

Tab settings

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Roche Molecular Systems, Inc.  
 1145 Atlantic Avenue  
 Alameda, California 94501  
 United States of America

Additional name(s) of conveying party(ies)

☐ Yes ☒ No

2. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: 11/12/02 and 11/28/02

2. Name and address of receiving party(ies):

Name: Roche Diagnostics GmbH

Internal Address:

Street Address: Sandhoferstr. 116 D-68305

Mannheim, GERMANY

City: State: ZIP:

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

10/970,340

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Roche Molecular Systems, Inc

Internal Address: Patent Department

Street Address: 1145 Atlantic Avenue

City: Alameda State: CA Zip: 94501

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☐ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☒ Authorized to be charged to deposit account

8. Deposit account number:

50-0812

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Charles M. Doyle (39,175)

Name of Person Signing

Signature

Jan 3, 2003

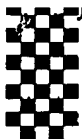
Date

Total number of pages including cover sheet, attachments, and document: 4

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 Washington, D.C.

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 306-5995 on 2 day of Jan 2003

*Charles M. Doyle*  
 by



MAR. 31. 2003 10:17AM

RMS Patent Department 1/3 RIGHTFAX

NO. 378 P. 4



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**From:** Name: USPTO ASSIGNMENT DIVISION  
Fax Number:  
Voice Phone: 703-308-9723

**To:** Name: ROCHE MOLECULAR SYSTEMS, INC.  
Company: CHARLES M. DOYLE  
Fax Number: 15108142973  
Voice Phone:



### Fax Notes:

Pg#	Description
1	Cover Page
2	122.TXT
3	Document 1, Batch 235116

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Date and time of transmission: Friday, March 28, 2003 8:08:42 AM  
Number of pages including this cover sheet: 03

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TO: P&E- CA

RMS Patent Department

NO. 378 P. 1

# Fax Cover Sheet

Roche

Diagnostics

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MAR 31 2003

FAX/MAILROOM

To: Dr. Alexander Burger - Penzberg  
Cc: Dr. Rahul Pathak - Pennie & Edmonds  
Re: US Application No. 10/070,340  
Our Reference: 18980-US  
Pennie Ref: 1803-336-999

From: Winsome Dunn  
Senior Patent Administrator  
Roche Molecular Systems  
1145 Atlantic Avenue  
Alameda, CA 94501  
☎ (510) 814-2972  
☎ (510) 814-2973  
✉ [winsome.dunn@roche.com](mailto:winsome.dunn@roche.com)

*Winsome*

Date: Monday, March 31, 2003

Hi Alex and Rahul:

Attached is a copy of the confirmation of recordation for the above-referenced application.

The application now stands in the name of Roche Diagnostics GmbH.

If there are any questions, please let me know.

Attachment

Danke !!

1/1